

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT**

At a meeting of the Town Council of the Town of Tiverton, County and State aforesaid, held at the Tiverton Town Hall, 343 Highland Road, on the 14th day of October 2014 A.D. at 7:00 p.m.

President Roderick opened the meeting with the Pledge of Allegiance to the Flag.

Roll Call:	Edward A. Roderick-President	William P. Gerlach
	Denise M. deMedeiros-Vice President	Jay J. Lambert
	James Arruda –Late Arrival	Brett N. Pelletier –Late Arrival
	Joan B. Chabot	

Town Administrator, Matthew Wojcik and Town Solicitor, Andrew M. Teitz were also present.

Approval of Consent Agenda:

All items listed with (CA) are to be considered routine by the Town Council and will ordinarily be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests and the Town Council President permits, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Councilor Lambert requested removal of item A1a, Approval of Regular Council Meeting Minutes August 12, 2014 – No Executive Session Held and President Roderick requested removal of Approval of Resolution Proclaiming October 19-25 as National Friends of Libraries Week in Tiverton.

Councilor Lambert made a motion, seconded by Councilor deMedeiros to approve the rest of the items on the Consent Agenda. Motion passed unanimously.

The Consent Agenda was as follows:

CONSENT AGENDA:

A-1-Approval of Minutes of Previous Meetings:

- b. Approval of Regular Council Meeting Minutes August 25, 2014
- c. Approval of Special Council Meeting Minutes September 29, 2014
- d. Approval of Special Meeting and Workshop Minutes of December 19, 2013
- e. Approval of Workshop Minutes December 5, 2013

Councilors Pelletier and deMedeiros Abstain – Not Present

- f. Approval of Workshop Minutes November 20, 2013

A-2-Receipt of Minutes from the Following Boards, Commissions:

- | | |
|--|--|
| a. Board of Canvassers (3) | d. Library Trustees |
| b. Cemetery Commission | e. Open Space & Land Preservation Commission (2) |
| c. Economic Development Commission (2) | f. Personnel Board |

A-3-Correspondence – Receive and File:

- a. Town of Glocester Town Council Resolution in Opposition to RIGL 44-3-3(9) – Taxation
- b. Susan Gill Regarding Comments at Discover Newport Regarding Tiverton Crossings Project

A-5-Tax Assessor – Approval of Abatements

A-6-Planning Board Administrative Officer Kate Michaud – Activity Report for September 2014

A-7-Town Administrator – Distribution of Monthly Overtime Report for September

A-8-Town Administrator - Distribution of Department Monthly Reports for September

A-9-Ratification of Fuel Contract

BUSINESS BROUGHT BEFORE THE COUNCIL

A-1-a Approval of Regular Council Meeting Minutes August 12, 2014 – No Executive Session Held

Councilor Lambert requested a change to the sentence on page 8 that starts with the words “Trying to make sure”, original sentence does not make sense. Councilor Lambert requested the following wording” Trying to make sure if there were any lapses, the final process is seen as fair and transparent by the public; although at this point it may seem to some as unfair to Mrs. Michaud”.

Councilor Lambert made a motion to approve as Amended the following wording” Trying to make sure if there were any lapses, the final process is seen as fair and transparent by the public; although at this point it may seem to some as unfair to Mrs. Michaud” in the Regular Council Meeting Minutes August 12, 2014- No Executive Session Held. Seconded by Councilor deMedeiros passed unanimously.

A-4-Approval of Resolution Proclaiming October 19-25 as National Friends of Libraries Week in Tiverton

President Roderick read the Resolution for National Friends of Libraries Week in Tiverton.

Councilor deMedeiros made a motion, seconded by Councilor Lambert to Approve the Resolution Proclaiming October 19-25 as National Friends of Libraries Week in Tiverton. Motion passed unanimously.

Approved Resolution attached at end of minutes.

OPEN PUBLIC FORUM FOR ANNOUCEMENTS, COMMENTS, QUESTIONS:

Barbara Pelletier noted it was Farmer’s Month, trying to help them, possibly have a process to form a collaborative. Can get farmer signs for free at DOT and DEM. Councilor Pelletier arrived at this time, 7:08 p.m. Mrs. Pelletier thanked John Manchester for providing the flowers for the table display. Mrs. Pelletier created a banner with a tablecloth for Farmer’s Month. Donna Cook commented on receiving a phone call about a decision already being made on who was voting for the Personnel Board appointments. Mrs. Cook said Councilor Lambert told her she shouldn’t apply, said other people had a better background. President Roderick would not allow character assassination, asked Mrs. Cook to leave the podium. Councilor Lambert requested an opportunity to reply, said that was a not true, did not speak to anyone else so Mrs. Cook should stop saying everyone else has made up their mind. Councilor Lambert did call Mrs. Cook. Councilor Pelletier explained Mrs. Cook would need to relinquish the podium in order for Councilor Lambert to respond and she would have the opportunity to speak when this agenda item comes up. Solicitor Teitz explained this item will be coming up soon on the agenda when she will have a chance to speak to the Council, but not at this time. Mrs. Cook claimed she was told by an official on this Council that she shouldn’t interview. Solicitor Teitz explained President Roderick will recuse from all appointments to Personnel Board since his wife also requesting appointment had told the Solicitor before meeting began that he would recuse from all the Personnel Board interviews. Councilor Lambert requested an opportunity to respond very briefly. Councilor Lambert, since he knew Mrs. Cook, appreciated there were 3 applicants for 2 vacancies, has always said it was extremely difficult when there are more well qualified applicants than openings available on board. Councilor Lambert called her, indicated he had read the agenda, noted only 2 openings, asked if she had considered any other position, as has been done in the past. Never did Councilor Lambert tell Mrs. Cook the Council had decided what the outcome was, never indicated to Mrs. Cook she should not interview and never indicated to Mrs. Cook she would not be selected. Simply called to say the agenda could present the Council with an uncomfortable situation, which Councilor Lambert has indicated in the past, when more applicants than vacancies, if there were any other positon Mrs. Cook might want to consider. President Roderick noted Mrs. Cook would have the opportunity to respond at the appropriate time.

B-PUBLIC HEARINGS & PUBLIC PRESENTATIONS: **PUBLIC PRESENTATIONS**

C-TOWN COUNCIL SITTING AS BOARD OF LICENSING
ADVERTISED PUBLIC HEARINGS

1.Sakonnet River Outfitters, 0 Main Road (Corner of Main and Haskins Road) Plat 117, Lot 224- Request Approval of Indoor Shooting Range License – Subject to Meeting All Legal Requirements Continued From September 29th Special Hearing – Request by Mr. Lebeau for Continuance to December 8th for Further Review by Planning Board

President Roderick noted the request from Mr. Lebeau to continue this to the December 8th meeting. Town Clerk Nancy Mello noted for the record did receive a letter from James McCarthy, Haskins Avenue, regarding this license request, will put with the December 8 packet. Council consensus was to forward the letter prior to the meeting. Town Clerk will also distribute on December 8 with the rest of the packet.

Councilor deMedeiros made a motion, seconded by Councilor Pelletier to continue the Public Hearing to December 8, 2014 meeting for the Sakonnet River Outfitters, 0 Main Road (Corner of Main and Haskins Road) Plat 117, Lot 224- Request Approval of Indoor Shooting Range License – Subject to Meeting All Legal Requirements. Motion passed unanimously.

Solicitor Teitz explained the normal procedure is not to readvertise as this is continued to December 8th.

D-APPOINTMENTS & RESIGNATIONS:

Resignations

1. Board of Canvassers - Resignation of Charles M. Moran, Jr. - Alternate Board Member

2. Conservation Commission - Joseph Grimard

3. Tiverton Library Board of Trustees - Resignation of James R. Barrett

President Roderick asked if the Town Clerk could send a letter thanking them all for their service.

Appointments

President Roderick, recused, left the Council table, his wife Nancy Roderick is an applicant for the Personnel Board. Vice-President deMedeiros conducted the meeting for appointments for the Personnel Board.

4. Personnel Board – Two Expired Terms to 10/15/2015 and 10/15/2016

a.Donna Cook, 192 Hilton Street

VP DeMedeiros requested Donna Cook to come forward at this time, tell the Council about her background, work experience. Requested Mrs. Cook keep this as civil as possible, to please be respectful. Mrs. Cook looked up the duties and responsibilities in the Charter, explained, has been in many leadership positions, currently retired, worked 11 years as an LPN as a charge supervisor, also worked as a flight attendant for 10 years. Went to board meetings, did managerial supervision on the union side. Understand it can't be fair for all applicants, hoped it would be fair for voting, disappointed and very upset about being called.

b.Janice E. Hughes, 36 Holly Lane

Janice Hughes was retired from the Navy, a Human Resource Specialist, in HR over 11 years, have an MBA in Human Resource Management, enjoy the hiring process. Mrs. Hughes has reviewed the duties of the Personnel Board.

c.Nancy Roderick, 19 Sparrow Drive

Nancy Roderick has been in the Human Resources field for 30 years, have a professional certification. Human Resource Officer for Sea Corp, over 30 years' experience and background in recruiting. Have looked at the Charter requirements, meetings not a problem, not moving for few years.

Councilor Lambert noted, as he always does pointed out have more qualified applicants than vacancies, voting will be in 2 weeks, urged anyone who does not get appointed to look at other boards and commissions and if unsuccessful to please not take it personally.

President Roderick returned to the Council at this time.

5. Harbor & Coastal Water Management Commission – One Year Term Expiring 7/15/2015

Steven W. Anderson, 89 Songbird Lane

Mr. Anderson served 11 years in the Navy submarine service. Lifelong recreational fisherman, boater, know rules and regulations. Also worked in the food industry, have mechanical and inter personal skills. Town Clerk Mello noted this was the second advertising for these commissions, no other applicants, have just received a resignation from this commission.

Councilor Lambert made a motion, seconded by Councilor Pelletier to Appoint Steven W. Anderson, 89 Songbird Lane to the Harbor & Coastal Water Management Commission for a One Year Term Expiring 7/15/2015. Motion passed unanimously.

6. Recreation Committee – Three Year Term Expiring 4/15/2017

Tom G. Pearce, Jr., 49 Antelope Way

Mr. Pearce has been a resident for 12 years, works for RI Higher Education Assistance Authority. Wanted to get involved in the Town, father of 3, opportunity to give back to the community. Town Clerk Mello noted this committee had one opening; Deb Ebbitt did not seek reappointment.

Councilor Pelletier made a motion, seconded by Councilor deMedeiros to Appoint Tom G. Pearce, Jr., 49 Antelope Way to a Three Year Term to the Recreation Committee Expiring 4/15/2017. Motion passed unanimously.

7. Historical Cemetery Committee – Three Year Term Expiring 4/15/2017

Linda Albernaz, 364 King Road

Ms. Albernaz has been doing family history for 40 years, did genealogical work in the Clerk's office, introduced to Isobel Hart. Have been attending meetings for months, would like to help with this committee. Town Clerk Mello noted Mrs. Hart cannot be a voting member of this committee.

Councilor Lambert made a motion, seconded by Councilor Chabot to appoint Linda Albernaz, 364 King Road to the Historical Cemetery Committee for a Three Year Term Expiring 4/15/2017. Motion passed unanimously.

E-UNFINISHED BUSINESS:

There were no items for Unfinished Business on this agenda.

F-FINANCIAL BUSINESS:

There were no items for Financial Business on this agenda.

G-NEW BUSINESS:

1.North Tiverton Volunteer Fire Department – Approval to Move the NTVFD Monument and Bell From Its Present Location of 85 Main Road to Pocasset Cemetery

Robert Sedoma, President of the North Tiverton Volunteer Fire Department (NTVFD) and Joseph Perry, Secretary appeared before the Council to request approval to move the NTVFD monument and bell from the Fire Station on Main Road to Pocasset Cemetery. Mr. Sedoma explained it would be right around the flagpole at the Cemetery, have a letter from the Cemetery Commission giving permission. The building was sold many years ago to the Town, would like a permanent place. The NTVFD will pay for the moving and all final costs involved. Like to do while the funds are available permanent location for generations to come. Fire Chief Robert Lloyd did not have a problem, the stone and monument is for all Tiverton Fire Fighters. Would like to make sure the stone is taken care of. Mr. Perry did discuss with Ron Helger who does cemetery maintenance, said he would take extra care. Councilor Chabot noted in that location at the Cemetery, there is already a stone there now for the Fire Fighters. Chief Lloyd had taken pictures of the monument, had provided them to the Council. Mr. Perry explained this monument would be north of the monument that is there now.

Councilor Pelletier made a motion, seconded by Councilor Chabot to grant permission to Move the Monument that belongs to the NTVFD from its present location to Pocasset Cemetery. Motion passed unanimously.

2. Town Clerk - Charter Complaints

a.Copy of Charter Complaint Filed on July 28th by James S. O'Dell Against Town Council Relative to Hiring a Town Planner – Referred to Municipal Court Judge

b.Decision of Municipal Court Judge James A. Donnelly, Jr. from August 25th Hearing on Charter Complaint Relative to Hiring a Town Planner

c.Complaint Filed September 24th by James S. O'Dell Against Judge James A. Donnelly, Jr. Relative to Hearing the Charter Complaint Against the Council on the Hiring of a Town Planner - Scheduling of Process for Town Council Hearing and Possible Hiring of Special Counsel

d.Charter Complaint Filed October 2nd by James S. O'Dell Against Council Relative to Salary for Building Official – Filed with Municipal Court on October 7th

Town Clerk Mello explained there was a complaint filed in July by James O'Dell regarding the appointment and expenditures for a Town Planner. It was against the Council, was forwarded to the Municipal Court Judge as required by the Charter. Judge Donnelly gave a decision on that, now is a Charter complaint filed against Judge Donnelly relative to hearing the complaint against the Council. Because this is against the Judge, presenting it to the Council as directed by the Charter in Section 1210. Solicitor Teitz noted Judge Donnelly was directed by the Charter, rendered a decision. Solicitor Teitz will represent Judge Donnelly; Council will have to have an independent Counsel. Have checked with Matthew Oliverio on representing the Council, is available Monday October 20. Councilor Pelletier noted the initial complaint against the majority of the Council was ruled on by Judge Donnelly, now the Council is supposed to hear the complaint against Judge Donnelly on whether he acted inappropriately. Questioned if there were any alternatives, have to pay for a special Counsel. Did not think it was appropriate for the Council to decide a Charter complaint against them.

Solicitor Teitz noted, there was also a third complaint regarding the appointment of the Building Official. It is being referred to the Municipal Court Judge. Solicitor Teitz would argue it should be dismissed, the Charter speaks for itself. President Roderick found it bizarre that someone would use the Charter to their benefit and when it doesn't, deems it unfair. Mr. O'Dell loudly told the President not to call him bizarre. President Roderick explained to Mr. O'Dell he did not call him that, he called the situation bizarre. At this point Chief Blakey interceded, told Mr. O'Dell this needs to be an orderly meeting or he can leave. Mr. O'Dell left the meeting at this time. President Roderick explained the Charter was explicit on how the matter should be handled. Councilor Lambert has given the matter some thought regarding Judge Donnelly being an interested party as stated in the complaint. Also noted the complaint was heard on 8/25, and there is no reason indicated as to the delay if filing this complaint against the Judge. Mr. O'Dell filed the second complaint on 9/24 against Judge Donnelly. Councilor Pelletier questioned if it would be the full Council hearing this. Solicitor Teitz would argue the entire Council would hear this, the Charter says the Council is the Charter Review Board, it is the local process. Councilor Gerlach questioned what role the Judge of Probate Court would have in this. Solicitor Teitz explained the Probate Judge has no role in the Charter complaint process. He is a designated replacement when there is a conflict of interest for the Municipal Court Judge. The Probate Court Judge is elected, the Municipal Court Judge is appointed. Matthew Oliverio is familiar with the Charter complaint process, not anticipating a long hearing. Believe the rate to be \$275 per hour. Council consensus was to hold a Special Meeting Monday, October 20. Councilor Arruda will abstain will not be here next Monday.

Councilor Pelletier made a motion, seconded by Councilor Lambert to hold a Special Council meeting on Monday October 20, 2014 for a Town Council as Charter Monitoring Board of Review for hearing a Charter complaint and will hire Atty Oliverio for his services. Motion passed on a vote of 6-0-1, Councilor Arruda abstained, will not be at the meeting.

Town Clerk Mello received the third complaint against the Council that has been filed with the Municipal Court, no date has been set. Councilor Arruda was left off this complaint because he was not at that meeting. It is up to the Municipal Court Judge to set the hearing date.

3. Town Administrator – Approval of Three Year Extension of WasteZero Contract to 2017

Administrator Wojcik explained this was an extension of the WasteZero contract, has a slight increase to compensation. This is the vendor for Pay As You Throw, fairly straightforward contract. DPW Director Berlucchi added, this contract expired 8/1/14, still continued the program. Request on the first page of the contract to put the date as of 8/2/14. Been doing excellent job other than first month getting off the ground with the program.

Councilor Lambert made a motion, seconded by Councilor Gerlach to Amend the Agreement to be entered into as of 8/2/2014 and continue to 2017. Councilor Pelletier suggested keeping an eye on the Consumer Price Index (CPI) adjustment schedule, one sided benefits the contractor with reduced benefit to the Town. Motion passed unanimously.

4. Town Administrator–Ratification/Withdrawal of DEM Grant Application for Storm Water Compliance

Administrator Wojcik explained earlier this year DEM advertised a grant program as part of the Bay restoration. Met with DPW Director Berlucchi and Kate Michaud to discuss a strategy. At that time did not have some critical components; they wanted shovel ready, environmental testing. Aspired to have new storm drains put in the Robert Gray area, so it would only be dug up once. The engineering study, 10 years old, was no longer valid, have to restart the clock, do additional engineering work. The grant deadline was extended. Applied on time, is up to the Council to go forward with the terms of the grant, if withdrawing need to do now. Would have to go to the Budget Committee, FTR for the matching part of the program. Director Berlucchi explained it had to do with the outfalls in the Summerfield area, finding fecal coliform pollution in Mount Hope Bay. DEM requires public information, education. Did a pamphlet for the area, were looking to get money, continue to search for grants. Was able to get funds to investigate Stormwater drainage systems and illicit discharges, mapping successfully. Have to have the roads cleaned, drainage structures cleaned and maintained. Ties in to the sewer/vacuum cleaner, put money into it in 2002, parts have been replaced several times. The \$250,000 cost is a concern. Have to clean the basins every years, came up with a strategy for a 50/50 grant from DEM, could possibly be 75/25. If using \$310,000 as a cost, the 50/50 would be \$155K, if the 75/25 the Town's portion would be \$78K. Have to look at getting it one way or another, or privatizing. The other part is mapping the existing drainage structures, were going to work out with the sewer department, have asked for funding before and did discuss the camera as part of the budget process, Wastewater has a machine, they would lease out. Now that is a separate entity. Since 2010 the Town has made a continued effort, have done something every year.

Councilor Gerlach made a motion, seconded by Councilor deMedeiros to Ratify the DEM Grant application for Storm Water Compliance as illustrated in G4. Motion passed unanimously.

5. Town Administrator – Approval of Direct Energy Contract

Administrator Wojcik explained the Town is a member of the RI League of Cities and Towns, part of a buying group that buys electricity. The last 3 years the Town benefitted from the 6.7 cents per kilowatt hour. The infrastructure is not large enough to support increased demand. Algonquin Gas is undertaking a massive expansion project. The December rate is 13cents/kw. Direct Energy line is 9.519 cents/kw hour. Saving 40% and still paying less, recommend entering into this contract. Sally Black, School Committee liaison recommended talking to Dan Beardsley about entering into an agreement with Constellation Energy. T/A Wojcik noted the schools would also be facing the same problem next year. Councilor Pelletier noted a typo on page 5, has the previous Town Administrator's name. T/A Wojcik did ask them to change to just Town Administrator, would be effective November 1, 2014 to 2017.

Councilor Gerlach made a motion, seconded by Councilor deMedeiros to approve the Direct Energy Contract as explained by the Town Administrator and illustrated in G5. Motion passed unanimously.

H-BIDS AND REQUESTS FOR PROPOSALS:

I-TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS:

. Street Lights – Discussion Regarding Potential Proposal of Purchasing Street Lights

Administrator Wojcik continued on the same theme, electricity will be more expensive. The League has pulled together a consortium to purchase streetlights. Formed PRISM, (the Partnership for Rhode Island Streetlights Management) to help with this process. Rates charged for all the components, high generation for overhead loading for the light fixture itself. The lamp costs \$94 per year for every single streetlight for maintenance. If purchased would be able to change to LED lights. PRISM has done this in Massachusetts, funding at lower costs per year. Enclosed copies of a letter authorizing them to conduct an inventory of the streetlights, nothing binding. T/A Wojcik added, the technology exists to meter every single light.

2. Resignation of John P. Lincourt as Tiverton Wastewater Superintendent

Administrator Wojcik received the Resignation of John Lincourt as Tiverton Wastewater Superintendent, accepted with regret, has served the Town very well, wish him the best, was truly dedicated. President Roderick asked the Town Clerk to send a letter of thanks for years of service. Town Clerk Mello will prepare, have the Council President sign.

T/A Wojcik announced a Flu Clinic will be held Thursday, October 16 at the Senior Center from 9:30 to 11:00 a.m. On Monday, 11/10 a seminar will be held at the Barrington Public Library about private wells, will put on the website.

J-COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS:

Councilor Lambert announced that earlier this month Director Berlucchi accepted a check for \$28,966 from RI Resource Recovery on the success of the Recycling Program. Thanked the residents and Director Berlucchi. Using a portion of these funds for recycling containers at the beaches and Town facilities. Leaving it up to Councilors Gerlach and Pelletier who presented the suggested containers. Looking for other projects to keep the Town clean. Councilor Arruda suggested using the school colors for the containers.

K-TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS:

1. Town of Tiverton v. James and Melissa Pelletier

a. Municipal Court Complaint

b. Transcript of Sentencing Hearing

Solicitor Teitz explained had received a couple of requests, provided copies of the original charging document first raised by the Judge at the sentencing hearing. Item b is the transcript of the hearing on which the Judge based her decision on only one day. It was originally signed by Gareth Eames, will discuss more in Executive Session. The box questioned is the one next to Office Date, DIVERS DATES. The Judge raised this after 4 years of being in front of her and 9 days of trial. This is a Municipal Court cover sheet, an underlying complaint. Our argument is this was merely an administrative cover sheet. Councilor Chabot questioned page 12, line 7-11 regarding the argument made by Attorney Kelly which said the Court has pointed out in memorandum the charging document charged one violation one day. Diverse dates not checked and could have been amended. Questioned if the Town got a memorandum. The Solicitor noted this was his second reply memorandum, the Town filed a rebuttal, did not have the opportunity to respond on this one.

Solicitor Letter Regarding Liquor License for 77-79 Main Road (Formerly Buddy's)

Solicitor Teitz had provided a copy of a letter sent to the applicant explaining a license was granted, not issued, was extended. The establishment is not in any state to be opened. The license expired in July is no longer an active license.

Fire Department Investigation – Attorney DeSisto Report

Solicitor Teitz explained the Fire Department Investigation report by Attorney DeSisto will be completed for the next meeting on October 27. Has a great deal of material that is not public related to personnel matters.

L-TOWN CLERK ITEMS AND ANNOUNCEMENTS

1. Annual Volunteer Appreciation Night

Town Clerk Mello reminded about Volunteer Appreciation Night this Friday, 10/17 from 6-8pm at the Senior Center. It is for all Tiverton Boards and Commission Volunteers past and present. Did put an article in the paper, will do same as last year, take from Council contingency.

2. Poll Locations for General Election November 4, 2014

Town Clerk Mello explained this was a notice of the polling locations for the General Election, all polls open. Call the Clerk's Office at 625-6703 if necessary. Will be in the Sakonnet Times and Herald News, already advertised once. In the future all polls will be open for all elections except for the FTR. Have question 8 on the ballot to have the FTR on the third Saturday in May. Councilor Gerlach looked for a map with the overlaying precincts. Town Clerk Mello will check the website, may still be on there. Will post in several locations around Town, the Warning will be posted next week, will put the map back up on the wall. Councilor Pelletier added the Secretary of State's website has information and an app for voter information.

CLOSED EXECUTIVE SESSION:

1. Solicitor – Litigation - 42-46-5(a) (2) – Town of Tiverton v. James and Melissa Pelletier

2. Solicitor – Litigation – 42-46-5(a) (2) – Bay Street Remediation

3. Solicitor – Litigation - 42-46-5(a) (2) – McLaughlin v. Town of Tiverton

4. Solicitor – Litigation – 42-46-5(a) (2) – Sakonnet River Bridge Tolls

Councilor Lambert made a motion, seconded by Councilor Chabot to enter into Closed Executive Session pursuant to 42-46-5(a) (2) – Litigation – Town of Tiverton v. James and Melissa Pelletier. Motion passed unanimously.

Councilor Lambert made a motion, seconded by Councilor Chabot to stay in Closed Executive Session pursuant to 42-46-5(a) (2) – Litigation– Bay Street Remediation. Motion passed unanimously.

Councilor Lambert made a motion, seconded by Councilor Chabot to stay in Closed Executive Session pursuant to 42-46-5(a) (2) – Litigation– McLaughlin v. Town of Tiverton. Motion passed unanimously.

Councilor Lambert made a motion, seconded by Councilor Chabot to stay in Closed Executive Session pursuant to 42-46-5(a) (2) – Litigation– Sakonnet River Bridge Tolls. Motion passed unanimously.

The Council entered into Executive Session at approximately 9:00 p.m.

The Council returned to Open Session at approximately 9:40 p.m.

OPEN SESSION:

In Open Session President Roderick announced no action was taken in Closed Executive Session on Items #1, 2 or 3.

Action was taken on item #4 to authorize the Solicitor to file a motion of appeal in the event of dismissal in our case regarding the Sakonnet River Bridge tolls. Vote was unanimous by voice roll call.

Councilor Pelletier motioned to seal the minutes of Executive Session, seconded by Councilor deMedeiros. Motion passed unanimously.

ADJOURNMENT:

Councilor Pelletier motioned to adjourn, seconded by Councilor Arruda. Motion passed unanimously.

Council adjourned at approximately 9:45 p.m.

A True Copy.

ATTEST: _____ Nancy L. Mello, Town Clerk

NATIONAL FRIENDS OF LIBRARIES WEEK

Whereas, Friends of the Tiverton Libraries raise money that enables our library to move from good to great—providing the resources for additional programming, much needed equipment, support for children’s summer reading, and special events throughout the year;

Whereas, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

Whereas, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic material, along with expert assistance in research, readers’ advisory, and children’s services;

Whereas, the Friends’ gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

Now, therefore, be it resolved that The Tiverton Town Council proclaims October 19-25, 2014, as Friends of Libraries week in Tiverton, Rhode Island and urges everyone to join the Friends of the Library, on this their 21st anniversary, and thank them for all they do to make our library and community so much better.

BY ORDER OF THE TIVERTON TOWN COUNCIL

October 14, 2014 Edward A. Roderick, Town Council President